



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530
(202) 514-3365

September 11, 2013

Brad Heath
USA Today
7950 Jones Branch Drive
McLean, VA 22108

Via e-mail: bheath@usatoday.com

Re: FOIA No. F13-00109

Dear Mr. Heath:

This is a further response to your August 22, 2013 Freedom of Information Act (FOIA) request to the Office of Professional Responsibility (OPR) for records related to declassified Foreign Intelligence Surveillance Court (FISC) opinions indicating that government lawyers had made material misrepresentations to the court about the scope of its electronic surveillance efforts on several occasions. On September 3, the Office of Public Affairs granted your request for expedited processing.

A thorough search of OPR's system of records failed to locate any documents responsive to your request. For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with this response, you may appeal in writing within sixty days of the date of this letter to the Director, Office of Information Policy. Your letter and envelope should be marked "FREEDOM OF INFORMATION APPEAL" and addressed to:

Office of Information Policy
United States Department of Justice
1425 New York Ave., N.W.
Suite 11050
Washington, D.C. 20530-0001

You may also appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>.

If you are dissatisfied with the result of any appeal you make, judicial review may thereafter be available to you in the United States district court for the judicial district in which you reside, or in which you have your principal place of business, or in the District of Columbia.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lyn Hardy', with a large, stylized circular flourish at the end.

Lyn Hardy
Special Counsel
for Freedom of Information and Privacy Acts